

## OFFICIAL PROCEEDINGS

Pursuant to due call and notice thereof, the regularly scheduled meeting of the Spring Lake Park City Council was held on October 3, 2016 at the Spring Lake Park Community Center, 1301 81st Avenue N.E., at 7:00 P.M.

### 1. Call to Order

Mayor Hansen called the meeting to order at 7:00 P.M.

### 2. Roll Call

Members Present: Councilmembers Nelson, Wendling, Nash, and Mayor Hansen

Members Absent: Councilmember Mason

Staff Present: Police Chief Ebeltoft; Public Works Director Randall; Building Official Brainard; Engineer Gravel; Parks and Recreation Director Rygwall; Administrator Buchholtz and Executive Assistant Gooden

Visitors: Barbara Bisschoff, 8309 Monroe Street NE  
Paddy Jones, Ham Lake, MN  
Sue Davis, AFS Representative  
Henriina Aaltonen (Finland) and Luisa Friedrich (Germany), AFS Students  
Michael and Tesa Kunkel, AFS  
Peter Allen, Stantec  
Bill Peterson, 8300 Monroe Street NE  
Olivia Alveshere, ABC Newspaper

### 3. Pledge of Allegiance

### 4. Additions or Corrections to Agenda - None

### 5. Discussion From The Floor - None

### 6. Consent Agenda:

Mayor Hansen reviewed the following Consent Agenda items:

- A. Approval of Minutes – September 19, 2016
- B. Mayor's Proclamation – Domestic Violence Awareness Month – October 2016
- C. Resolution of Commendation – Planning Commission Student Gabe Strawn
- D. Call Public Hearing on TIF District 6-1 – November 21, 2016 at 7:00 PM
- E. Administrator's Performance Evaluation Public Statement
- F. Contractor's Licenses
- G. Correspondence

Mayor Hansen asked that Item 6E, Administrator's Performance Evaluation Public Statement, be pulled for discussion from the Agenda. She asked that the statement exchange the word "generally" to "greatly". The consensus of the Council was to make the correction to the statement.

MOTION BY COUNCILMEMBER NASH TO APPROVE THE CONSENT AGENDA. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

7. Presentation

A. Mayor's Proclamation – Foreign Exchange Student Week – Honorary Citizens Heniina (Henny) Aaltonen and Luisa Friedrich

Mayor Hansen presented a proclamation proclaiming the week of October 3, 2016 as American Field Service Week and proclaiming that Heniina Aaltonen and Luisa Friedrich be named honorary citizens for the City of Spring Lake Park for the duration of their stay.

8. Public Hearing

A. 2016 MS4 Permit Annual Public Meeting

Mayor Hansen opened the public hearing at 7:10 PM.

Peter Allen from Stantec presented the 2016 MS4 Annual review. He addressed the Council and provided a slide presentation that showed what an MS4 Permit consists of, as well as who is involved with the Storm Water Management Regulation in Spring Lake Park. He stated that three groups regulate it: the State of Minnesota, Federal Programs and local watershed management organizations.

Mr. Allen explained the Storm Water Regulatory Documents that impact municipal operations, which include: the NPDES MS4 Permit, Local Surface Water Management Plans and Watershed Management Plans and Rules.

Mr. Allen reviewed the basic components of the MS4 Permit, known as "Best Management Practices", or BMP's. He stated that each BMP addresses one or more of the six main elements of the permit referred to as "Minimum Control Measures" which include public education and outreach; public participation and involvement; illicit discharge detection and elimination; construction site storm water runoff control; post construction storm water management and pollution prevention and good housekeeping for municipal operations.

Mr. Allen reported on how Spring Lake Park is currently in compliance with the MS4 Permit. He stated that the City has formed partnerships with the Watershed Districts and other MS4's, created City Ordinances and LWMP requirements, created Storm Sewer System Maps along with related brochures and articles, performed inspections on illicit discharge, construction and MS4 system, performed street sweeping, staff training and completed the MS4 Annual reports to submit to the Minnesota Pollution Control Agency.

Mayor Hansen inquired as to why the storm water drains into the Mississippi River instead of storm water holding areas or drain into Spring Lake. Mr. Gravel stated that gravity has a lot to do with the flow of the water and the City naturally flows towards the river. He stated that it would be a huge expense to construct new piping in the City.

Bill Peterson, 8300 Monroe Street NE, expressed his concerns with the excessive flooding he experiences on his property after heavy rain. He inquired as to what could be done so that the water does not accumulate on his property and cause flooding to his garage.

Mr. Gravel stated that the majority of the water flow is from Springbrook and without replacing all the major piping throughout the City, there is not an economical way to control the flow of the water.

Councilmember Wendling inquired if raingardens or holding ponds on properties would help alleviate the water problems. Mr. Gravel stated that raingardens are a possible solution and there are possibly funds available through the watershed districts to help with the construction of these gardens.

Barbara Bisschoff, 8309 Monroe Street NE, inquired as to why raingardens have not been explored or built in the past since the accumulation of the water on properties along Monroe Street has been a problem for many years. Councilmember Nelson stated that holding ponds and raingardens have not been constructed because they would be placed on private property and residents have not expressed an interest to have them constructed on their property.

Ms. Bisschoff stated that there are residents who would be willing to look into the options of a holding pond or rain garden on their property. She inquired as to whom she would contact to get more information on funding and the requirements. Councilmember Nelson stated that Mr. Gravel or Public Works Director Randall would be good sources to contact.

Ms. Bisschoff inquired if the raingardens or holding ponds would need to be placed on a private lot. Councilmember Nelson stated that there is not enough right of way to accommodate the rain gardens. He stated that to enlarge the existing piping throughout the City would be very costly and a complex problem involving other cities.

Administrator Buchholtz stated that creating swales or raingardens would be more cost effective for the City and would provide a place for storm water a place to go. He stated that adding new pipes would be a tremendous cost to the residents and the City.

Councilmember Nelson inquired as to what new mandated modifications will need to be completed by the City with the MS4 permit. Mr. Allen stated that he has not learned of the updates at this time and suggested working with the local watershed districts to see what information and assistance they could possibly provide.

Hearing no further public comments, Mayor Hansen closed the public hearing at 7:30 PM.

#### 9. Public Works Report

Public Works Director Randall reported that the Public Works Department continues to mow, weed whip and perform general clean up at the parks. He reported that the Department assisted with the set up and cleanup of the 5K Walk/Run recently held at the high school. He stated that the Department has been busy painting crosswalks and stop bars; pressure washing the Public Works building and resurfaced the basketball court at Able Park.

Mr. Randall stated that all the water meters have been read with the exception of approximately 50 homes. He stated that those meters will need to be replaced or repaired. He reported that the Department continues to clean the sewers and the remainder of the City should be completed in a few weeks.

Mr. Randall thanked the Department for their hard work of blocking off the streets and helping with the water accumulation on the streets during the recent rainfall.

10. Code Enforcement Report

Building Official Brainard reported that he attended the Council meetings on September 6 and September 19; an Open House with Dominion Development Group on September 14; the MN Energy Code Development Committee Review on September 16; a MN Building Permit Technician Association meeting on September 20; and Department of Human Services Fire Inspection Training on September 27.

Mr. Brainard stated that in September 2016, 38 permits were issued consisting of 20 building permits. He reported that he conducted 104 inspections, including 53 building, 15 mechanical, 8 plumbing, 8 nuisance, zero certificate of occupancy, 12 rental housing, 4 fire and 4 zoning inspections.

Mr. Brainard reported that the September 2016 vacancy listing shows that there are 15 vacant/foreclosed residential properties currently posted and/or soon posted by the Code Enforcement Department, which is up two from last month. There are two vacant/foreclosed commercial property, which is up one from last month; and 16 residential properties currently occupied and ready for Sheriff Sale's redemption, which remains the same from last month. He reported that he did post two abandoned and/or vacant property notices in month of September; in addition, two Administrative Offense Tickets and four violation notices were issued by the Code Enforcement Department.

Mr. Brainard provided a handout on the basic requirements when conducting a recreational fire on private property. He also reminded residents that October 9 – 15, 2016 is Fire Prevention Week and to encouraged residents to check their smoke detectors in their homes.

Mr. Brainard reported that the second floor addition at the property at 8001 5<sup>th</sup> Street NE is completed and progress on the garage addition located at 8322 Laddie Lake Road will have a completion date in the spring of 2017.

11. Resolutions and/or OrdinancesA. Special Event Ordinance No. 428

Administrator Buchholtz reported that the City of Spring Lake Park has been issuing special events permits in the past to provide staff input for outdoor events. He stated that recently, there was a question regarding whether a specific event fell under the special event permit definition. He stated that in researching this question, staff discovered that there was no specific event ordinance to provide that guidance. He stated that staff believes that if the City Council wished to continue to issue special event permits, then a special event ordinance should be adopted.

Administrator Buchholtz provided the following highlights of the Ordinance:

- A definition was created for special events, which includes “any concert, fair, show, festival, carnival, rally, party, tournament, street dance, art show, car show, grand openings, block parties or other attended outdoor attended outdoor entertainment or celebration that is to be held on public or private property.
- A permit for special events are required with the following three exceptions – events sponsored by the City of Spring Lake Park (Tower Days, Night to Unite, etc.), private events where the general public is not invited or admitted and family gatherings held on private property.
- Defines the requirements for a special event permit application.

- Establishes a special event permit review process that allows the City Council to condition the issuance of a special use permit or to deny a special event permit application.
- Requires applicants to pay for special services (police protection, public works, etc.) in advance of the event.
- Requires applicants to indemnify, defend and hold the City harmless for any claim arising from a special event held on public property.
- Requires liability insurance for applicants/sponsors of special events.
- Allows the City to require a clean-up deposit for any special event involving the sale of food or beverages for immediate consumption, the erection of structures, horses or other animals, or any other activity likely to require substantial cleanup.
- Provides a process to revoke a special event permit.
- Defines violations of the ordinance and penalties for those violations.

Councilmember Nelson inquired if the Special Event Permit would cover an event such as the 5K run at that the School District sponsors. Administrator Buchholtz stated that a permit would be required covered under the Ordinance.

MOTION MADE COUNCILMEMBER NELSON TO APPROVE ORDINANCE NO. 428 ESTABLISHING REGULATIONS RELATING TO SPECIAL EVENTS. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

B. Resolution 16-24 Authorizing Summary Publication of Ordinance 428 – Special Events Ordinance

MOTION MADE BY MAYOR HANSEN TO APPROVE RESOLUTION 16-24 AUTHORIZING SUMMARY PUBLICATION OF ORDINANCE 428-SPECIAL EVENTS ORDINANCE. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

12. New Business

A. AWAIR Policy Update

Administrator Buchholz reported that the City of Spring Lake Park, under the Minnesota Occupational Safety and Health Act, is required to develop written, comprehensive safety and health programs based on the North American Industry Classification System (NAICS). He stated that these programs are called AWAIR (A Workplace Accident and Injury Reduction) program.

Administrator Buchholtz reported that the City's current AWAIR policy is over 10 years old and is in need of an update. He stated that in consultation with the City's safety consultant and the League of Minnesota Cities Insurance Trust, staff developed a policy to bring the current policy up to current standards. He stated that other required policies are in the process of being updated to ensure that the City complies with MNOSHA standards.

MOTION MADE BY COUNCILMEMBER NASH TO APPROVE THE CITY OF SPRING LAKE PARK AWAIR POLICY. ROLL CALL VOTE: ALL AYES. MOTION CARRIED.

13. Engineer's Report

Engineer Gravel had no new items to report.

Councilmember Wendling inquired if there was any new developments on the Osborne Trail. Mr. Gravel reported that a funding discussion will be taking place in January and staff will attend the meeting. He stated that approval would happen in June 2017.

14. Attorney's Report

Attorney Thames had no new items to report.

15. Reports

A. Beyond the Yellow Ribbon Report

Councilmember Nash stated that there was nothing new to report.

16. Other

A. Administrator Reports

Administrator Buchholtz reported that the Planning Commission met on September 26, 2016, and recommended approval of a Comprehensive Plan and Zoning Code amendments to change the zoning from Commercial to High Density Residential for the future development of a proposed apartment complex. He stated that the amendments will be presented to the Council at the October 17, 2016 Council meeting.


Administrator Buchholtz reported that the Dominion project is moving forward and a Planned Unit Development application meeting with staff will take place soon with the application presented to the Planning Commission at the next meeting on October 24, 2016.

Administrator Buchholtz commented on his performance evaluation and thanked the Council and City staff for their support and assistance this past year.

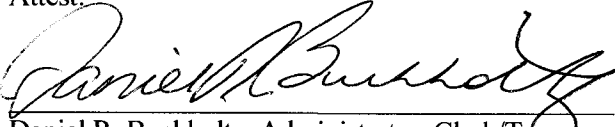
17. Adjourn

MOTION BY COUNCILMEMBER NASH TO ADJOURN. VOICE VOTE: ALL AYES. MOTION CARRIED.

The meeting was adjourned at 7:58 P.M.

  
Cindy Hansen, Mayor

Attest:

  
Daniel R. Buchholtz, Administrator, Clerk/Treasurer